

**RECORD OF SPECIAL MEETING
ELLSWORTH CITY COUNCIL**

DATE: JULY 31, 2017

TIME: 6:00 PM

PLACE: ELLSWORTH CITY HALL COUNCIL CHAMBERS

**CITY COUNCIL PRESENT: BEATHEM, BLANCHETTE, CROSTHWAITE,
FORTIER, MOORE, AND PHILLIPS.**

CITY COUNCIL ABSENT: HUDSON

**KEY SPEAKERS PRESENT: CITY MANAGER DAVID COLE, TAMMY MOTE,
LARRY GARDNER, LARRY WILSON, JASON INGALLS, MICHAEL HARRIS,
REGGIE WINSLOW, DAN HIGGINS, AND HEIDI GRINDLE.**

Call to Order.

Chairman Phillips called the special meeting of the Ellsworth City Council to order at 6:10 PM.

Unfinished Business.

Council Order #071704, Request of the City Manager to authorize and execute a contract for engineering services with Woodard and Curran for the High Street Booster Station Capacity Upgrade project. (Tabled from the July 17, 2017 Regular meeting).

David Cole, City Manager stated the Council has received information on this project over the past 6 months. This project has been through the Planning Board process and is moving forward. See attachment #1 for the complete request, High Street Booster Station Capacity Upgrade – Design and Construction Administration Services proposal from Woodard and Curran, commitment email from John Fitzpatrick from Jackson Laboratory, and High Street Pump Station Upgrade Design Basis memorandum from Nate McLaughlin at Woodard Curran. Cole stated when the facility opens in early March sufficient water capacity needs to be in place. The City has been working with Jackson Laboratory and Woodard and Curran to create a plan to provide the necessary water needs. Cole is requesting authorization to enter into a contract for engineering services with Woodard and Curran for this project in an amount not to exceed \$63,000. This will include the development of a design basis memorandum for the first \$10,000 which will get the project to 30% design level in turn aids in the discussions with contractors on the best way to complete the project. The \$63,000 figure includes General Contractor Coordination and Bid Review in the amount of \$21,600 as well as \$31,600 for Construction Administration and As-needed Inspections. Cole noted under the Manager’s authority work was approved for up to \$10,000 to get this project started. The attached proposal (attachment #1) has been developed in coordination with Jackson Laboratory. John Fitzpatrick, Senior Director of Facilities of Jackson Laboratory, committed to reimbursing up to \$63,000 for the engineering services included in the Woodard and Curran proposal within an email dated July 28, 2017. Norm Birdsall from Jackson Laboratory was present at the meeting tonight. The proposal presented tonight only covers design and engineering services; Cole will

Call to Order.

Approved - Council Order #071704, Authorize the City Manager to execute an agreement with Woodard and Curran for engineering services of up to \$63,000 for the High Street Booster Station Upgrade Project, to be reimbursed to the City by Jackson Laboratory.

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be returning to Council with the construction activities. The team working on this project felt a design build approach made the most sense. This process was described in detail by Cole.

On a motion by Blanchette, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #071704, Authorize the City Manager to execute an agreement with Woodard and Curran for engineering services of up to \$63,000 for the High Street Booster Station Upgrade Project, to be reimbursed to the City by Jackson Laboratory.

Councilor Fortier requested an emergency agenda item be added tonight to the agenda by unanimous vote.

On a motion by Fortier, seconded by Blanchette, it was unanimously

RESOLVED to approve adding Council Order #071716 to the agenda this evening, Request of the IT Systems Administrator to purchase an Aldis Gridsmart camera system from Electric Light Company in the amount of \$19,750 to be funded from the Local Roads Account.

Council Order #071706, Request of the Wastewater Treatment Superintendent to purchase a Vogelsang Rotary Lobe Pump in the amount of \$15,700 to be funded with remaining SRF program monies. (Tabled from the July 17, 2017 Regular meeting).

Michael Harris, Wastewater Superintendent explained currently the existing Vogelsang Rotary Lobe Pump which is used to transfer the waste sludge to the dewatering facility is operated at 100% capacity the majority of the time. Premature wearing of the rotary lobes is causing the lobes to be replaced more often than Harris is comfortable with. See attachment #2 for the complete explanation and quote on a pump which has a slightly higher capacity than the existing one. The new pump would not be used to the maximum capacity. Harris explained how this new pump would be used in an effort to conserve the life span of the equipment. This new pump would replace the current Vogelsang Rotary Lobe Pump. Both pumps are designed the same way; the lobes are meant to wear over time. The new pump will fit directly into the spot the current pump is located without any major piping modifications. The old pump will remain at the Plant to use if the new pump

Approved - Adding Council Order #071716 to the agenda this evening, Request of the IT Systems Administrator to purchase an Aldis Gridsmart camera...

Approved - Council Order #071706, Request of the Wastewater Superintendent to purchase a new Vogelsang Rotary Lobe Pump in the amount of \$15,700 to be funded with the remaining funds from the Wastewater Plant Construction Project (SRF program monies).

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fails.

On a motion by Moore, seconded by Fortier, it was unanimously

RESOLVED to approve Council Order #071706, Request of the Wastewater Superintendent to purchase a new Vogelsang Rotary Lobe Pump in the amount of \$15,700 to be funded with the remaining funds from the Wastewater Plant Construction Project (SRF program monies).

Council Order #071712, Request to adjust the FY2018 budget to account for changes to revenues and appropriations impacted by the recent passing of the biennial State of Maine budget for fiscal years 2018 and 2019. (Tabled from the July 17, 2017 Regular meeting).

David Cole, City Manager stated the Council had a memo (attachment #3) outlining the details of the additional \$333,287 in the FY2018 budget for the City of Ellsworth in education funding. Of that amount the State Budget requires a minimum of 50% (\$166,643.50) be applied for property tax relief. Cole stated the Orders that went before the voters included three options for the use of any additional State revenue. 1) To increase school expenditures; 2) Putting the excess funds in a reserve account for school use in the future; 3) Property tax relief. Notwithstanding the state requirements that at least 50% of additional funds be allocated to tax relief, the Council may allocate these funds at its discretion. Councilor Beathem stated when the budget was approved there was approximately 2.4 million dollars above the necessary state funding level; this became the local share which translates into an approximate 2.4 mils impact on the tax rate. Based on this increase to the projected mil rate, he would like to see \$166,643.71 applied towards tax relief. There is a shortfall in the reimbursement of \$90,000, Beathem would like to see that amount go into the budget for tax relief, leaving a difference of \$76,643.70. Beathem proposed ½ of this amount be given to the School to assist with the \$30,000 shortfall in the Bio-Tech Program at HCTC. The remaining balance would be applied to tax relief (\$38,321.85). The above amendments would reduce the proposed mil-rate to approximately \$17.97. Chairman Phillips agreed with the amendments as proposed by Beathem. Councilor Fortier agreed with the amendments particularly because the City encouraged the School to create a Bio-Medical Program and they are experiencing a slight shortfall. He can support the proposed amendments. Beathem noted the Council cannot mandate how the School Department spends the money allocated; however, they can suggest a certain line

Approved - Council Order #071712, Request to apply \$166,643.71 towards tax relief. Cover the shortfall in the reimbursement of \$90,000 as tax relief. Apply \$38,321.70 to the School Budget to cover the \$30,000 shortfall to the Bio-Tech Program at HCTC. The remaining balance of \$38,321.85 to be applied as tax relief. The motion further adjusts the Homestead Exemption by \$354,500, TIF Expense by \$657,416 and School Appropriation up to \$11,120,776.52.

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item. Tammy Mote, Finance Director asked the Council to read the amendments into the record thus allowing her to make the requested amendments to the budget for auditing purposes.

On a motion by Beathem, seconded by Moore, it was

RESOLVED to approve Council Order #071712, Request to apply \$166,643.71 towards tax relief. Cover the shortfall in the reimbursement of \$90,000 as tax relief. Apply \$38,321.70 to the School Budget to cover the \$30,000 shortfall to the Bio-Tech Program at HCTC. The remaining balance of \$38,321.85 to be applied as tax relief. The motion further adjusts the Homestead Exemption by \$354,500, TIF Expense by \$657,416 and School Appropriation up to \$11,120,776.52.

Before a vote was taken on the above motion Fortier offered as a friendly amendment the new amounts for the Homestead Exemption, TIF Expense, and School Appropriation line items upon the advice of Mote. Cole noted that Dan Higgins, School Superintendent was present in the audience this evening. Higgins, stated as clarification \$35,000 was the requested amount for the Bio-Tech Program as opposed to the \$30,000 as stated. Beathem stated his proposal was to apply \$38,321.85. Higgins appreciated the funding in excess of the requested \$35,000. The amendment was accepted and seconded before a final vote was taken.

A final vote was taken on the above motion with all members voting unanimously in favor.

New Business.

Council Order #071715, Request of the City Manager to approve and execute a contract for the necessary drainage improvements in the State Street/Forrest Avenue vicinity to be funded through a cost share agreement between the City of Ellsworth and the Maine Department of Transportation.

David Cole, City Manager stated bids were received on Friday. Eero Hedefine the Project Engineer was present at the meeting this evening to answer any questions. Three bids were received; the apparent low bidder was Ranger Contracting from the Waterville area at a cost of \$572,272. See attachment #4 for the complete request, bid price comparison chart, and recommendation letter from Hedefine Engineering & Design, Inc. Cole estimated once engineering, inspections, contingency funds

New Business.

Approved - Council Order #071715, Authorize the City Manager to accept the bid of Ranger Contracting Inc. in the amount of \$572,272 for construction services associated with the Forrest Avenue

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and other associated costs are calculated this project will be approximately \$100,000 over the original estimates received at the time the City applied to MaineDOT for funding under the Municipal Partnership Initiative Program. Cole noted when the initial estimate was submitted including a healthy contingency there were a lot of unknown factors underground. There appears to be a lot of water located in this area as well as the pipes will need to be manipulated around conflicts with the existing sewer lines. This is a must complete project because of the problems currently existing in this area as well as to accommodate future development. Cole and Hedefine were unfamiliar with Ranger Contracting; however, the references provided as well as one unsolicited reference resulted in good comments and solid statements of competency. Councilor Fortier asked Hedefine for his opinion on why the hot top prices varied so dramatically. Hedefine explained different bidding practices he has seen on past projects; however, it was not completely understood why those variances existed. This job is expected to be completed before the paving season ends this year; MaineDOT specified the project must be completed by the end of the year. Cole clarified it must be substantially complete, it is possible some finish paving or seeding could be delayed until the spring. The pre-construction and contract signing would be as early as next week. The low bidder is comfortable with starting this project within three weeks and meeting the completion deadline. Councilor Crosthwaite asked for an explanation on what is meant by the City's portion coming from future financing. Tammy Mote, Finance Director explained during the regular August Council meeting there will be an agenda item concerning financing this project along with a few smaller projects in a bond package. It was not addressed last month so as not to prejudice the bidding results. This financing decision was made in consultation with the City's Bond Counsel.

On a motion by Blanchette, seconded by Moore, it was unanimously

RESOLVED to approve Council Order #071715, Authorize the City Manager to accept the bid of Ranger Contracting Inc. in the amount of \$572,272 for construction services associated with the Forrest Avenue Drainage Project, subject to Maine Department of Transportation final approval. These services, along with project engineering, administration and contingency costs (totaling \$677,572), will be funded by \$389,072 from future funding from the City of Ellsworth, and up to \$288,500 through a Cooperative Agreement with MaineDOT (WIN#023218.00).

Drainage Project, subject to Maine Department of Transportation final approval. These services, along with project engineering, administration and contingency costs (totaling \$677,572), will be funded by \$389,072 from future funding from the City of Ellsworth, and up to \$288,500 through a Cooperative Agreement with MaineDOT (WIN#023218.00).

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Council Order #071716, Request of the IT Systems Administrator to purchase an Aldis Gridsmart camera system from Electric Light Company in the amount of \$19,750 to be funded from the Local Roads account.

Jason Ingalls, IT Systems Administrator explained a traffic light loop failed at the Marden's intersection. This failure is having a significant impact on traffic headed toward Mount Desert Island. It has been the City's practice to not replace the traffic loops as they fail. Ingalls investigated camera detection at this intersection. See attachment #5 for the complete request as it relates to purchasing an Aldis Gridsmart camera, which is the same unit the City currently has installed at several intersections. This would be the fifth Aldis Gridsmart camera in the City and all have proven to work satisfactory.

On a motion by Fortier, seconded by Blanchette, it was unanimously

RESOLVED to approve Council Order #071716, Request of the IT Systems Administrator to purchase an Aldis Gridsmart camera system from Electric Light Company in the amount of \$19,750 to be funded from the Local Roads account.

Adjournment.

On a motion by Moore, seconded by Beatham, it was unanimously

RESOLVED to approve adjournment at 6:43 PM.

A TRUE COPY

**ATTEST: _____
HEIDI-NOËL GRINDLE**

Approved - Council Order #071716, Request of the IT Systems Administrator to purchase an Aldis Gridsmart camera system from Electric Light Company in the amount of \$19,750 to be funded from the Local Roads account.

Approved - Adjournment at 6:43 PM.